



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

## CONFIDENTIALITY NOTICE (40 C.F.R. § 2.203)

Company/Facility Name:	
Facility Address:	
Inspector Name ( <i>print</i> ): Dave Hensley	
U.S. EPA, Region 7, 11201 Renner Boulevard, Lenexa, KS 66219	Inspection Date:

EPA's regulations that govern the confidentiality of business information are contained in 40 C.F.R. Part 2, Subpart B. You may assert a business confidentiality claim covering part or all of the information submitted, in the manner described by 40 C.F.R. § 2.203(b), which states:

(b) *Method and time of asserting business confidentiality claim.* A business which is submitting information to EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as *trade secret*, *proprietary*, or *company confidential*. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

**If no business confidentiality claim accompanies the information provided to the EPA inspector during this inspection (or within 5 calendar days as provided below) or with information you submit later, then EPA may make the information available to the public without further notice to the business. Failure to list the document(s) below and sign this form will be considered by EPA to be a waiver by the facility of any confidentiality claim.**

However, certain categories of information outlined in 40 C.F.R. §§ 2.301-2.311, such as emission data and effluent data, or other information that is otherwise publicly available, are not eligible for confidential treatment.

If you claim any of the information submitted to be trade secret or other confidential business information, you must specify each record or portion of the record for which you assert a claim. Information covered by such a claim will be disclosed by EPA only to the extent, and by the means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. All business confidentiality claims are subject to a determination by EPA of whether the business information is entitled to confidential treatment. In order to make the determination whether the information is entitled to confidential treatment, you will receive written notice and opportunity to comment requesting that you substantiate your business confidentiality claims. EPA will construe your failure to assert a business confidentiality claim, or to furnish timely substantiation comments, as a waiver of any applicable claim. Any information subsequently determined to constitute a trade secret or other confidential business information will be protected under 18 U.S.C. § 1905 and/or 5 U.S.C. § 552(b)(4).

I, \_\_\_\_\_, hereby certify that I am a  
Responsible Official's\* name and title (*print*)

responsible official of \_\_\_\_\_, that I am in receipt of this  
Facility's business name (*print*)

confidentiality notice, and that I am able to speak for the facility on this matter.

**Check the appropriate box**

<input type="checkbox"/>	I have read this Notice and <b><u>DO NOT</u></b> want to make a claim of business confidentiality covering any information provided to EPA during this inspection.  Signature of the Responsible Official identified above: _____ Date: _____
<input type="checkbox"/>	I have read this Notice and <b><u>DO</u></b> want to make a claim of business confidentiality covering information provided to EPA during this inspection. Confidential treatment is only being requested for the documents listed below or on attached confidentiality notice sheet(s).  Signature of the Responsible Official identified above: _____ Date: _____
<input type="checkbox"/>	I have read this Notice and <b><u>will notify the EPA inspector in writing within 5 calendar days</u></b> regarding any confidentiality claim covering the information provided to EPA during this inspection.  Signature of the Responsible Official identified above: _____ Date: _____

**Information for which confidential treatment is requested (attach additional sheets if needed):**

No. on receipt for Documents	Documents or File Name	Pages

\* Responsible Official refers to a facility representative with the knowledge to make a confidentiality claim.